

**[DISCUSSION DRAFT]**109TH CONGRESS  
2ND SESSION**H. R. \_\_\_\_\_**

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of disaster relief and preparedness services with respect to persons with limited English proficiency, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. HONDA introduced the following bill; which was referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve the provision of disaster relief and preparedness services with respect to persons with limited English proficiency, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Equitable Access to  
5 Disaster Relief and Preparedness Services Act”.



1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Effective communication is essential to  
4 meaningful access to disaster relief related services.

5 (2) Research establishes that the lack of lan-  
6 guage services and culturally competent services cre-  
7 ates barriers, and diminishes the quality of access,  
8 to public services for limited English proficient indi-  
9 viduals.

10 (3) Communities from across the country have  
11 reported language difficulties and inadequate fund-  
12 ing of language services and culturally competent  
13 services to be major barriers to limited English pro-  
14 ficient individuals' access to public services and dis-  
15 aster relief related services in the areas of health  
16 care, mental health, housing assistance, and small  
17 business.

18 (4) The number of non-English speaking resi-  
19 dents in the United States continues to increase.

20 (5) 47,000,000 people, 18 percent of the United  
21 States population, speak a language other than  
22 English at home; and 21,000,000 people, 8 percent  
23 of the United States population, speak English less  
24 than very well and, therefore, cannot effectively com-  
25 municate with health and social service and disaster  
26 relief providers.



1 (6) At least 19,641 individuals within the Hur-  
2 ricane Katrina and Rita disaster areas spoke  
3 English less than very well.

4 (7) 12,649 individuals within the Hurricane  
5 Katrina and Rita disaster areas who spoke Asian  
6 and Pacific Islander languages spoke English less  
7 than very well.

8 (8) According to the Census, approximately  
9 30,000 Vietnamese-Americans lived in the Gulf  
10 Coast region devastated by Hurricane Katrina and  
11 Rita with an estimated 15,000 Vietnamese-Ameri-  
12 cans who evacuated to Houston, Texas.

13 (9) According to the 2004 Census, 67,000  
14 Asian Americans and Pacific Islanders have been af-  
15 fected by the Hurricane Rita and Katrina disasters.

16 (10) The prohibition on discrimination on the  
17 basis of national origin under title VI of the Civil  
18 Rights Act of 1964 (42 U.S.C. 2000d et seq.) has  
19 long been interpreted to forbid discrimination on the  
20 basis of language.

21 (11) In order to avoid discrimination against  
22 limited English proficient individuals on the basis of  
23 national origin, providers of disaster relief related  
24 services should take adequate steps to ensure that  
25 such individuals receive the language services nec-



1        essary to afford meaningful access to such services,  
2        free of charge.

3            (12) The responsibility to fund language serv-  
4        ices in the provision of disaster relief related services  
5        to limited English proficient individuals is a societal  
6        one that cannot fairly be visited upon any one seg-  
7        ment of the disaster relief, health care, public  
8        health, public safety, or social services community.

9            (13) Linguistic and cultural diversity in the dis-  
10       aster relief related services workforce is important  
11       for providing all communities, including individuals  
12       with limited English proficiency, the environment  
13       most conducive to equitable, efficient, and meaning-  
14       ful access to disaster relief related services.

15           (14) All members of the disaster relief related  
16       services community should continue to educate their  
17       staff and constituents about limited English pro-  
18       ficient issues and help them identify resources to im-  
19       prove access to quality public services and assistance  
20       for limited English proficient individuals.

21        (b) PURPOSES.—The purposes of this Act are to as-  
22       sist providers of disaster relief related services—

23            (1) to improve, through effective communica-  
24       tion, the quality of disaster relief related services for  
25       limited English proficient individuals; and



1 (2) to meet their obligation and responsibility to  
2 ensure equal access to such services for limited  
3 English proficient individuals.

4 **SEC. 3. NONDISCRIMINATION IN DISASTER ASSISTANCE**  
5 **WITH RESPECT TO ENGLISH PROFICIENCY.**

6 Section 308 of the Robert T. Stafford Disaster Relief  
7 and Emergency Assistance Act (42 U.S.C. 5151) is  
8 amended—

9 (1) in subsection (a) by inserting “English pro-  
10 ficiency,” after “age,”; and

11 (2) by adding at the end the following:

12 “(c) RESPONSIBILITY OF PRESIDENT.—In carrying  
13 out this section, the President shall—

14 “(1) ensure that all Federal entities that pro-  
15 vide assistance under this Act maintain, on a con-  
16 tinuing and updated basis, a database of competent  
17 interpreter and translation services;

18 “(2) direct all Federal agencies to provide to  
19 appropriate population segments, in a timely man-  
20 ner, translated notices and documents to implement  
21 disaster relief assistance under this Act, with such  
22 notices and documents translated into no fewer than  
23 the 5 most prevalent languages spoken by limited  
24 English proficient individuals in the area for which  
25 such assistance is authorized;



1 “(3) ensure that such translated notices and  
2 documents are disseminated to private organizations,  
3 neighborhood associations, houses of worship, and  
4 other organizations that would ensure distribution to  
5 affected and appropriate population segments and  
6 that such notices and documents include, at a  
7 minimum—

8 “(A) emergency notifications, public broad-  
9 casts, electronic roadside signs, flyers, bro-  
10 chures, applications, consent forms, and letters  
11 containing important information regarding as-  
12 sistance authorized to be provided by the Presi-  
13 dent under this Act,

14 “(B) notices pertaining to the reduction,  
15 denial, or termination of services or benefits  
16 under this Act;

17 “(C) notices of the right to appeal actions  
18 referred to in subparagraph (B); and

19 “(D) notices for limited English proficient  
20 individuals of the availability of free language  
21 services and other outreach materials;

22 “(4) hire and have available a cadre of disaster  
23 relief and emergency assistance employees sufficient  
24 to provide services in no fewer than the 5 most prev-  
25 alent languages spoken by limited English proficient



1 individuals in each area in which a disaster or emer-  
2 gency assistance is being provided under this Act;

3 “(5) study and determine the prudence of es-  
4 tablishing and operating a toll-free number by which  
5 all persons with limited English proficiency may ob-  
6 tain information in their primary language regarding  
7 the all federally funded services and public benefits  
8 available under this Act;

9 “(6) develop and maintain an informational  
10 clearinghouse of model language assistance pro-  
11 grams and best practices for State and local govern-  
12 ments in providing disaster and emergency related  
13 services; and

14 “(7) make \$20,000,000 available in grants to  
15 nonprofit organizations that have experience working  
16 with limited English proficient communities and for  
17 administration of activities that are consistent with  
18 State and local government’s hazard mitigation  
19 plans.”.

20 **SEC. 4. EMERGENCY PREPAREDNESS DEMONSTRATION.**

21 (a) IN GENERAL.—Beginning not later than the  
22 180th day following the date on which funds are appro-  
23 priated to carry out this section, the Director of the Fed-  
24 eral Emergency Management Agency shall conduct an  
25 emergency preparedness demonstration program to study



1 the needs of Asian American and Pacific Islanders com-  
2 munities and households for use in the design and develop-  
3 ment of community and family preparedness programs  
4 and to develop initiatives based on the results of the study  
5 to improve disaster awareness and readiness in Asian  
6 American and Pacific Islander communities.

7 (b) AUTHORIZATION OF APPROPRIATIONS.—There is  
8 authorized to be appropriated \$1,500,000 to carry out this  
9 section.

